

the rule or order is published in the FEDERAL REGISTER. It must contain a brief statement of the complaint and an explanation as to how the rule or order is contrary to the public interest.

(b) If the petitioner requests the consideration of additional facts, he must state their nature and purpose, and the reason they were not presented at the hearing or in writing within the allotted time.

(c) The Administrator does not consider repetitious petitions.

(d) Unless the Administrator orders otherwise, the filing of a petition under this section does not stay the effect of a rule or order.

§ 11.75 Petitions for revoking or modifying rules or orders.

(a) Any interested person may petition to revoke or modify any rule or order covered by this subpart. Such a petition must be filed, in triplicate, with the Director and must clearly state the information, views, and arguments the petitioner considers necessary to support the requested action and must clearly indicate the effect the action would have on the use of navigable airspace.

(b) A petition filed under this section is processed in the same manner as an original proposal, or in any other manner that the Director considers necessary or desirable.

[Doc. No. 1242, 27 FR 9586, Sept. 28, 1962, as amended by Amdt. 11-3, 29 FR 9662, July 17, 1964]

Subpart E—Processing of Airworthiness Directives

SOURCE: Docket No. 7162, 31 FR 13697, Oct. 25, 1966, unless otherwise noted.

§ 11.81 Scope.

(a) This subpart prescribes the procedures to be followed in rulemaking proceedings for Airworthiness Directives issued pursuant to Part 39 and in granting or denying exemptions from Airworthiness Directives. It also designates the persons that are authorized to act for the Administrator in connection

with those proceedings and exemptions.

(b) For the purposes of this subpart, “Director” means the Director, Aircraft Certification Service, or a Manager of an Aircraft Certification Directorate (Directorate Manager).

(c) The authority for issuing Airworthiness Directives is limited to the following persons:

(1) The Director, Aircraft Certification Service; and

(2) Managers of the Aircraft Certification Directorates for products under the authority of those directorates, as determined by the Administrator.

(d) For the purposes of this subpart, “Chief Counsel” means the Chief Counsel or a Regional Counsel or a Directorate Counsel, the Assistant Chief Counsel, Europe, Africa, and Middle East Area Office or the Assistant Chief Counsel for Regulations, or any person to whom the Chief Counsel, Assistant Chief Counsel, Regional Counsel, or Directorate Counsel has delegated authority in the matter concerned.

[Doc. No. 7162, 31 FR 13697, Oct. 25, 1966, as amended by Amdt. 11-15, 43 FR 52205, Nov. 9, 1978; Amdt. 11-21, 45 FR 80815, Dec. 8, 1980; Amdt. 11-32, 54 FR 39290, Sept. 25, 1989; Amdt. 11-42, 62 FR 46865, Sept. 4, 1997]

§ 11.83 Processing of petitions for rulemaking or exemption.

Whenever the FAA receives a petition for rulemaking or for an exemption, a copy of the petition is referred for action, as provided in § 11.27, to the Director having Airworthiness Directive responsibility for the product involved.

§ 11.85 Issue of notice of proposed rulemaking.

Whenever he determines that a notice of proposed rulemaking is necessary or desirable, the Director may, subject to the approval of the Chief Counsel with respect to form and legality issue the notice provided for in § 11.29. In addition, he may grant or deny petitions for extension of the time for comments on the notice, filed under § 11.29(c).